



FEDERAL ELECTION COMMISSION
Washington, DC 20463

DISSENTING OPINION IN ADVISORY OPINION 1981-36

of

COMMISSIONER THOMAS E. HARRIS

The Act prohibits foreign nationals from making contributions, directly or through any other person, in connection with an election to any political office.

While the Japanese Business Association itself may not be a foreign national, the contributions it proposes to make to non-federal elections will be made up, in part, of dues paid by members of the Association that are foreign nationals. The use of dues paid by foreign nationals would not run directly afoul of 2 U.S.C. 441e, were the funds to be used to administer the Association's PAC, as was the case in Advisory Opinion 1980-111. But where, as here, foreign nationals' funds will be used, albeit indirectly, to make campaign contributions, section 441e's prohibition is clearly applicable.